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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/713,418	11/14/2003	Sebastian Barr	BAR.203	2742

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EXAMINER	
BOSWELL, CHRISTOPHER J	

ART UNIT	PAPER NUMBER
3676	

DATE MAILED: 02/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	10/713,418	BARR, SEBASTIAN
	Examiner	Art Unit
	Christopher Boswell	3676

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *03 December 2004*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-11* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-11* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *14 November 2003* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-3 and 5-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over by U.S. Patent Number 4,717,184 to Boyce, in view of U.S. Patent Number 5,730,514 to Hashemi.

Boyce discloses the invention substantially as claimed. Boyce discloses a cabinet having a frame (46), a front face (12) mounted on the frame and defining an opening (50) having a front-to-back depth (figure 2), a drawer (20) mounted on the frame and movable in a front-to-back direction through the opening, the drawer including left and right side panels and a bottom panel, a safety latch (10) including an L-shaped body (figure 2), having a vertical leg (14), mounted on one of the side panels, a horizontal leg (24) projecting from the vertical leg, and a horizontal engaging arm (28) projecting forward from the horizontal leg and having a top surface which defines forward (32) and rear ramps (34) and a trough (30) between the ramps, the trough having a front-to-back distance that is at least as deep as the front-to-back depth of the front face (figure 3), and wherein the forward ramp tapers from a lower elevation in front to a higher elevation in back, and the rear ramp tapers from a higher elevation in front to a lower elevation in back (figure 2), as in claims 1, 5, 6, 10 and 11. However, Boyce does not disclose the trough defining an upward opening, and the ramps terminating short of the upward opening in a vertical

plane. Hashemi teaches of a drawer latch (100) having an engagement arm (122) having front (123) and rear (118) ramps, and a trough (104) having an upwardly opening with the ramps terminating short of the trough (figure 2), where the ramp tapers from a lower elevation in front and a higher elevation in back and the rear ramp tapers from a higher elevation in front to a lower elevation in back (figure 2), as well as a trough having substantially straight front and rear walls (105 and 107) in the same field of endeavor for the purpose of unlocking and disengaging the engagement arm from a guide block of the drawer (column 2, lines 40-61). It would have been obvious to one with ordinary skill in the art at the time the invention was made to extend the walls of the trough of Boyce vertically, as taught by Hashemi in order to unlock and disengage the engagement arm from the opening of the drawer.

Boyce also discloses the latch being a unitary piece (figure 1), and the engaging arm is movable up and down parallel to the vertical leg by flexing between the engaging arm and the horizontal leg (figures 2-4), as in claims 2 and 7, and fastening means (22) on the vertical leg for securing the vertical leg to the inside of a drawer, as in claim 3.

Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Boyce in view of Hashemi, as applied to claims 1-3, 5-7, and 8-11 above, in view of U.S. Patent Number 5,445,451 to Harmony.

Boyce and Hashemi disclose the invention substantially as claimed. However, Boyce and Hashemi do not disclose the fastening means being an adhesive strip. Harmony teaches of fastening means being either an adhesive strip or screws (22, 114; column 2, lines 43-49) in the same field of endeavor for the purpose of securing a latch to drawer front. It would have been

obvious to one with ordinary skill in the art at the time the invention was made to replace screws with adhesive strips in order to secure the latch to the drawer.

Conclusion

Applicant's amendment, in claim 1, lines 6-8; claim 6, lines 7, 10-11, 15, 19-21; and new claims 8-11, necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher Boswell whose telephone number is (703) 305-4067. The examiner can normally be reached on 8:30 - 5:00 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel P. Stodola can be reached on (703) 308-2686. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Daniel P Stodola

CJB CB
February 17, 2005

DANIEL P. STODOLA
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600